

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, AUGUST 24, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, City Clerk, Teresa J. Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

CAMP Having been appointed to read the minutes of the City Council proceedings of August 17, 2015, reported having done so, found same correct.

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Chris Beutler presented the July, 2015 Mayor's Award of Excellence to Lincoln Police Officers Joseph Coleman and Keifer Hyland of the Northeast Team Operations Division in the category of Productivity. These Officers have worked for the City since 2012 and were nominated for this award by fellow Police Officer Luke Bonkiewicz. Mayor Beutler said this unit has excelled in criminal investigations and prosecutors were able to file charges in nine out of ten of their arrests. The Mayor said it was his pleasure to present both Officers the July Mayor's Award of Excellence and asked that those present assist him in congratulating these Officers for their diligent work.

Police Chief Jim Peschong came forward and thanked the Mayor for recognizing these two fine Officers. They both came out of the same recruit class and are very hard workers who come to work day in and day out doing the best that they can, and by the numbers you can tell they are out there doing their job.

Officers Coleman and Hyland came forward and gave their thanks and introduced their families.

**PUBLIC HEARING**

MANAGER APPLICATION OF CHRISTOPHER L. MURRAY FOR WILDERNESS RIDGE GOLF, LLC DBA WILDERNESS RIDGE GOLF COURSE AT 1800 WILDERNESS WOODS PLACE - Chris Murray, 7707 Upton Grey Lane, came forward and took the oath.

This matter was taken under advisement.

MANAGER APPLICATION OF MARKIE K. BRYCE FOR 1339 O STREET, INC. DBA BROTHERS BAR & GRILL AT 1339 O STREET - Markie Bryce, 1339 O St, came forward and took the oath.

This matter was taken under advisement.

MANAGER APPLICATION OF BRITANY S. GRADY FOR WHITEHEAD OIL COMPANY DBA U-STOP 12 AT 6801 WILDCAT DRIVE - Britany Grady, 3070 Vine St., came forward and took the oath.

This matter was taken under advisement.

MANAGER APPLICATION OF MARK W. EGGERT FOR BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS AT 350 CANOPY STREET, SUITE 200 - Mark Eggert, 341 N. 44<sup>th</sup> St., came forward and took the oath.

This matter was taken under advisement.

MANAGER APPLICATION OF MICHAEL R. SCHMIDT FOR THE OLD PUB, LLC DBA THE OLD PUB AT 420 SOUTH 11TH STREET - Mike Schmidt, 900 Lamplighter Lane, came forward and took the oath.

This matter was taken under advisement.

MANAGER APPLICATION OF GRETCHEN E. COOPER FOR GJR, LLC DBA COOP'S CORNER AT 4947 HOLDREGE STREET - Gretchen Cooper, 542 Maple St., Burr NE, came forward and took the oath. She said she had taken the Manager's Training two weeks ago.

This matter was taken under advisement.

APPLICATION OF MORAN'S LIQUOR WORKS, LLC DBA MORAN'S BOTTLE SHOP FOR AN UPGRADE FROM A CLASS DK TO CLASS CK LIQUOR LICENSE AT 3402 A STREET - Eric Bahm, 3710 LaSalle St, came forward and stated they were here to upgrade their liquor license.

This matter was taken under advisement.

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 176**

APPLICATION OF BPC NEBRASKA, LLC DBA BOSS' PIZZA & CHICKEN FOR A CLASS A LIQUOR LICENSE AT 1000 SAUNDERS AVENUE;

MANAGER APPLICATION OF JASON T. JOHNSON FOR BPC NEBRASKA, LLC DBA BOSS' PIZZA & CHICKEN AT 1000 SAUNDERS AVENUE - Jason Johnson, 6140 NW 2<sup>nd</sup> Circle, came forward and took the oath. He said he is scheduled for the September 10th Manager's Training class.

Conan Schafer, Investigator with the Lincoln Police Dept., came forward and said Mr. Johnson's scheduled training for September was fine with him and he did not have any concerns if Mr. Johnson was approved today.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 36 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE ON SEPTEMBER 4, 2015 FROM 3:00 P.M. TO 9:00 P.M. - Craig Reier, 1524 Skyline Dr., came forward and stated they are having a new beer release party and wanted to use the parking lot next to their tap room for a food truck for the convenience of their customers.

This matter was taken under advisement.

APPLICATION OF MEIER'S WINE, INC. DBA MEIER'S CORK 'N BOTTLE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 40 FEET BY 120 FEET AT TIRE RACK SCCA SOLO NATIONALS TENT AT NW 36TH & W. MATHIS STREETS ON SEPTEMBER 6, 2015 FROM 4:00 P.M. TO 11:00 P.M.;

APPLICATION OF MEIER'S WINE, INC. DBA MEIER'S CORK 'N BOTTLE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 140 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 98 FEET BY 125 FEET COVERING ALL THREE FLOORS AT LINCOLN CHILDREN'S MUSEUM AT 1420 P STREET ON SEPTEMBER 11, 2015 FROM 6:00 P.M. TO 11:00 P.M. - Kenneth Meier, 1244 South St., came forward and said the event for the Children's Museum was a fund raiser and will be attended by adults only.

This matter was taken under advisement.

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER TWO OUTDOOR AREAS MEASURING APPROXIMATELY 45 FEET BY 80 FEET AND 17 FEET BY 70 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1ST STREET ON SEPTEMBER 10, 2015 FROM 10:00 A.M. TO 1:00 A.M. - Christie Harris, 10416 Jefferson Circle, Omaha NE, came forward and gave a brief overview of the event.

This matter was taken under advisement.

AUTHORIZING THE CITY OF LINCOLN'S APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR FINANCIAL ASSISTANCE FROM THE RECREATIONAL TRAILS PROGRAM FOR RENOVATING THE MURDOCK TRAIL FROM TOUZALIN AVENUE TO NORTH 70TH STREET - Sara Hartzell, Parks and Recreation Dept., came forward and stated every year they come to Council with a resolution request to indicate that they are going to participate in this program. The project they are proposing is for the renovation of the Murdock Trail. The segment for renovation is from Touzalin Avenue to 70<sup>th</sup> St. It will be Parks and Rec. responsibility for the maintenance of the trail and they do budget every year for repair and replacement on trails.

Council Member Camp asked what is done when there is a situation that disrupts the trails such as flooding.

Ms. Hartzell said they work with FEMA which does a 75% match on repair projects, 12.5% then comes from State emergency funding and the other 12.5% is local. Discussion followed.

Lynn Johnson, Parks and Recreation Director, came forward and said they have done an estimate on the repair for those projects.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND TRANSPORT PLUS OF LINCOLN FOR THE ANNUAL REQUIREMENTS FOR ADA ELIGIBLE TRANSPORTATION SERVICES, SOLE SOURCE NO. SS-20, FOR A THREE YEAR TERM - Bob Walla, Assistant Purchasing Agent, came forward and said this is a multi-year contract for ADA transport services. Transport Plus was determined to be qualified and through negotiations they were able to present the contract that they have. Mr. Walla said \$1.7 million for this contract is for a three year term.

Council Member Christensen inquired about concerns and complaints regarding the previous service provider.

Brian Praeuner, with Startran, came forward and said they had some issues, but Mike Davis, Startran Transit Manager, was very diligent in meeting with them to address those issues on a monthly basis. Transport Plus has now been taken over by a new firm and they don't anticipate any changes in the transition. Discussion followed.

This matter was taken under advisement.

APPROVING AMENDMENT NO. 1 TO THE CONTRACT FOR SERVICES BETWEEN CORNHUSKER PLACE OF LINCOLN-LANCASTER COUNTY, INC. N/K/A BRIDGE BEHAVIORAL HEALTH AND THE CITY OF LINCOLN TO PROVIDE \$200,000 TO BRIDGE BEHAVIORAL HEALTH BY SEPTEMBER 15, 2015 TO SUPPORT THE ON-GOING REMODELING PROJECT OF ITS FACILITY LOCATED AT 721 K STREET - Jeff Kirkpatrick, City Attorney, came forward and said this contract is a one time expense. They are assisting The Bridge in renovations to provide meals that were once provided by the County Jail which has since relocated.

Joseph Rice, President of The Bridge Board, 4830 Landsbury Lane, came forward and said the more services that can be established for The Bridge the more Police services can be created for the City as well. Discussion followed.

Phil Tegler, Director of The Bridge, 3500 W. Van Dorn, came forward and stated that part of the remodeling project is to create a space in their building where they can provide out-patient services. Mr. Tegler said they also provide services for veterans that are referred to them. At this time, he estimated about 50% of the clients seen have some recent or past military experience that might put them in need for care. Collaboration with the Veterans Administration and other organizations in the community has helped to provide more effective care. Discussion followed.

This matter was taken under advisement.

APPROVING A REQUEST TO THE CITY PERFORMANCE AUDIT COMMITTEE, PURSUANT TO CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE, TO CONDUCT A DEPARTMENT AUDIT OF THE CITY OF LINCOLN PUBLIC WORKS AND UTILITIES DEPARTMENT AND ENGINEERING SERVICES TO DETERMINE IF THERE ARE EFFICIENCIES TO BE GAINED WITH RESPECT TO THE PLANNING AND COMPLETION OF STREETS AND ROADS PROJECTS PURSUED AND COMPLETED BY SAID DEPARTMENT - Jeff Kirkpatrick, City Attorney, came forward and stated this resolution is in line with a recent change made in the Audit Committee Chapter of the Lincoln Municipal Code. It requires the City Council to send at least one request for a specific audit by August 31<sup>st</sup>. This request would be in compliance with the code and then goes on to the Audit Committee to be refined and moved forward.

Kyle Fisher, 1128 Lincoln Mall, came forward on behalf of the Lincoln Chamber of Commerce. He wanted to give "Kudos" to the Council for their quick work in turning around the audit, and to the Public Works Dept. for their willingness to open their books in proving they are doing things the right way. He said the Chamber appreciates the efforts being made in this resolution to be good stewards of the roads dollars.

Miki Esposito, Public Works Director, came forward and said this is a great opportunity to talk about streets and how they deliver products. The audits they go through validates their processes and it would be good if the Audit Committee could be mindful of the experts selected to view the process. Some information is readily available and they will hit the ground running to provide any additional information needed before this body is assembled. Ms. Esposito said the CIP process is complex and they are getting ready to have a greater website presence.

Jane Kinsey, Watchdogs of Lincoln Government, came forward and inquired if this audit report will be made available to the public.

Council Chair Fellers said this information will be made available to the public.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 15002 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP FROM UNBUILT MIXED USE OFFICE CENTER TO UNBUILT NEIGHBORHOOD CENTER, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 70TH STREET AND YANKEE HILL ROAD - Danay Kalkowski, Attorney with Seacrest and Kalkowski, 1111 Lincoln Mall, Ste. 350, came forward on behalf of 1640 LLC and White LLC. This property has been shown as commercial since 2006. The mix of office uses will be a little different and may not be the primary use, but there will be some additional uses as part of the neighborhood center. Both the Planning Department and the Planning Commission recommended approval and so they are asking for approval from Council.

This matter was taken under advisement.

SPECIAL PERMIT 15041 - APPLICATION OF E & G ENTERPRISES, LLC FOR AN EARLY CHILDHOOD CARE FACILITY FOR UP TO 125 CHILDREN, WITH A REQUEST TO WAIVE THE CONVERSION PLAN, ON PROPERTY GENERALLY LOCATED AT 8120 O STREET - Tim Gergen, Clark Enersen, 1010 Lincoln Mall #200, came forward representing the developer for this early childhood care center. They were approved by the Planning Commission and have worked with the neighbors throughout their design process.

This matter was taken under advisement.

AMENDING THE 2014-2016 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2015-2016 FISCAL YEAR - Steve Hubka, Finance Director, came forward to provide an overview of what they have been doing. They are at the mid-point of the 2014-16 biennial budget and they are ready to start the next fiscal year September 1st. This resolution is not a new budget, it is an ending of the existing 2015-16 budget. They are shifting funds to where they are needed, looking at reappropriations, transfers and

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 178**

expending authorities that would expire if they didn't reappropriate. One of the main things being done is implementing final valuations into the budget which in 2014 were not available for the 2015-16 year. They are also adopting budgets for a couple of entities that do not do a biennial budget which would be Community Health Endowment and the Pinnacle Bank Arena. We are adding funding for fire trucks, a roof for the Municipal Services Center, bus purchases for Startran with funds from the University. He said they did publish the budget for 2015-2016 from last year and the property tax rate is the same as it was a year ago and filed the information for the 2015-2016 budget last August which has been available for anyone to review. Mr. Hubka said the City revenues are sufficient to meet the budget for 2015-2016. Discussion followed.

Council Member Camp inquired about other sources of income.

Mr. Hubka listed Parks and Recreation fees, interest income, occupation taxes, return on equity from LES. He said there are not a lot of other sources of revenue other than sales tax and the occasional increase in property tax from the re-evaluations that keep up with the rate of inflation. Discussion followed.

Council Member Lamm asked about the amount in the budget to pay for pensions.

Mr. Hubka said what is recommended for next year is \$9.6 million and currently in the budget is \$7 million. Discussion followed.

Kyle Fisher, 1128 Lincoln Mall, came forward representing the Lincoln Chamber of Commerce, and wanted to highlight the importance of two items in the budget, the air show promotional expense and the roller skating promotional expense. He said both of those investments produced a return of over \$10 million dollars of economic impact to our community, and for Council to keep in mind they need that true public partnership to be fully funded. Discussion followed.

Jeff Maul, Executive Director of the Convention of the Visitors Bureau, came forward and gave his view that this contribution from the City is an essential part of that investment.

Coby Mach, LIBA, 620 N 48<sup>th</sup> St., came forward and said if Council is open minded to spending the additional dollars and spending more tax dollars, also be open minded to perhaps making some property tax relief available to the community as well.

Jane Kinsey, Watchdogs of Lincoln Government, came forward and said the property tax proposal needs to be lowered even more. She questioned the fire truck addition that is requested even though the number of fires are down and the medical calls are up. Ms. Kinsey said citizens deserve a break by cutting questionable items in the budget. Discussion followed.

Tom Casady, Public Safety Director, came forward and gave an overview on the need for the additional fire trucks, especially before the City grows another 20 miles. He said it is important to have the right kind of apparatus when responding to a fire and they need to be distributed around the City in a way that can cover the City geography in a reasonable time period. Mr. Casady said they were up 9.5% in medical emergencies this year compared to the same period last year, they are wearing out their fire apparatus because they are driving so much more compared to the past. They have sent a little over \$416,000.00 last year to repair fire apparatus and its been going up steadily every year for the past 6 years. The vehicles are aging and half of their fleet is over 15 years old. Discussion followed.

Council Chair Fellers said we have six pieces of equipment approaching 20 years of life and they are becoming unserviceable which is really the reason for putting this in the budget.

Council Member Lamm had a question regarding the CIP.

Jeff Kirkpatrick, City Attorney, came forward and said the reason why the Ordinance, CIP and budget Resolution were introduced the way they were so they could be voted on at the same time, as these funds do interact. Discussion followed.

This matter was taken under advisement.

**SPECIAL PERMIT 15030 - APPLICATION OF OAK LAKE EVANGELICAL FREE CHURCH TO CONSTRUCT A 85-FOOT TALL MONOPOLE FOR PERSONAL WIRELESS FACILITIES, ON PROPERTY GENERALLY LOCATED AT 3300 NORTH 1ST STREET -** Robert Marshall, Treasurer of the Roundtable Heights Owners Association, 3339 Gregory St, came forward to express his concerns about not getting a satisfactory answer or solution from the Planning Commission regarding the application of this Permit. He said although the Planning Commission did eventually get them together with the Church, there was poor notice by the Planning Department in notifying neighbors. He also expressed his concerns regarding the screening of this tower and he said you would be able to see that tower if your standing in his backyard.

Tim Reisdorff, 3333 Gregory St., came forward in opposition to this Special Permit. He feels that property will be adversely affected visually and presented his concerns. He said he was able to attend the meeting, but no changes came out of that meeting. Discussion followed.

Joe Coyle, 312 East 70<sup>th</sup> St., Kansas City, MO, came forward representing the tower owner SBA Communications. He gave an overview of the process up to now, and said even before the application was submitted, changes had to be made to be in compliance with the Planning Commission. He thought the first neighborhood meeting was a good meeting which was also attended by Brian Will of the Planning Department. Discussion followed.

Mr. Coyle did say that the Church's tax exempt status is not affected by the lease with this tower.

Chad Riker, the RF Manager for Verizon Wireless, 1620 M St., came forward and said a stealth application does limit technology and you're not able to mount any electronics on the tower.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 15008 - DECLARING SEVEN VACANT PARCELS OF LAND GENERALLY LOCATED AT NORTH 15TH STREET AND CLAREMONT STREET AS SURPLUS PROPERTY - Dallas McGee, Urban Development Assistant Director, came forward and stated these parcels are all vacant and once the Antelope Valley Parkway was built it was determined that these parcels no longer needed to be used by the City. Because of their location and size, the parcels are challenging, however, they have had interest in one of the parcels. Discussion followed.

Mike Morosin, 1500 N. 15<sup>th</sup>, came forward and gave some history on the houses once located on these parcels.

This matter was taken under advisement.

CHANGE OF ZONE 15021 - APPLICATION OF U.S. DEPARTMENT OF VETERANS AFFAIRS, VICTORY PARK PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD, O-3 OFFICE PARK DISTRICT PUD, AND R-4 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW FOR A MIX OF COMMERCIAL AND RESIDENTIAL USES, ON PROPERTY GENERALLY LOCATED ON EAST SIDE OF SOUTH 70TH STREET, NORTH OF SOUTH WEDGEWOOD DRIVE - Ed Zimmer, Planning Dept., came forward and stated the zoning on this property has been adjusted from P Public to a set of zonings that can allow private use while the land ownership will remain in federal ownership. A lot of the property will remain undeveloped because of the historic nature of the property. Discussion followed.

Kent Seacrest, 1111 Lincoln Mall #200, came forward representing the Seniors Foundation and America First. He said there has been extensive public outreach and dialogue, three town hall meetings, phone calls working with neighbors and an extensive redesign and relocation of this project. All the conditions have been reached between the developers, city staff and the Planning Commission.

Mike Morosin, 1500 N. 15<sup>th</sup> St., came forward with his concerns about the inconvenience of those coming downtown on the bus with the possibility of moving the Aging Center to the 70<sup>th</sup> St. location which could present a hardship. Discussion followed.

Jane Kinsey, Watchdogs of Lincoln Government, came forward and asked if the Federal Government has signed over this property to the City.

Council Member Camp responded that they are leasing the property for 75 years to this development team.

Duncan Fallon, Site Manager for the Veterans Affairs Clinic for Lincoln, 600 S. 70<sup>th</sup> St., came forward to emphasize that the property is being leased, the V.A. is not selling it and they will always own the property. The negotiations between the Veterans Affairs and the Seniors Foundation is still ongoing and has not been finalized yet. Discussion followed.

Council Member Camp inquired about transportation to a senior facility on 70<sup>th</sup> St.

Tami Ward, Executive Director of the Seniors Foundation, 600 S. 70th St., came forward and said they do have a City bus line that currently exist directly to the campus. They would be open to discussing a dedicated van service and putting that into a proposal.

June Peterson, Director for Aging Partners, came forward and said they currently bring people from their homes to the centers across the City, and if someone wanted service to the V.A. facility they could provide that.

This matter was taken under advisement.

**6:11 P.M. Council took a 5 minute break.**

**6:16 P.M. Council reconvened.**

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON AUGUST 17, 2015. (27-1)

### PETITIONS & COMMUNICATIONS

REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone No. 15024, requested by the Clark Enersen Partners, from R-4 Residential District to H-3 Highway Commercial District, on property legally described as Lots 36-46, Block 1, Boyer and Davis Subdivision, and the north 8 feet of the vacated alley adjacent to Lot 36, located in the NE 1/4 of Section 27-10-6, Lincoln, Lancaster County, Nebraska, generally located southeast of Southwest 1st Street and West L Street.

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 180**

Change of Zone No. 15025, requested by the Clark Enersen Partners, from R-4 Residential District to R-5 Residential District, on property legally described as Lots 1 and 2, Outlot B, Wyuka Subdivision, located in the SW 1/4 of Section of 20-10-7, Lincoln, Lancaster County, Nebraska, generally located at 241 North 44th Street.

Special Permit No. 15043, requested by the Clark Enersen Partners, for a Community Unit Plan to allow for the addition of a 193-unit residential apartment complex, with waivers to reduce the parking ratio, increase the building height, and allow tandem parking in driveways, on property legally described as Outlot A, Wyuka 2nd Addition, located in the SW 1/4 of Section of 20-10-7, Lincoln, Lancaster County, Nebraska, generally located at North 42nd Street and Vine Street.

Special Permit No. 673A, requested by the Clark Enersen Partners, to replace an existing radio broadcast tower with a new 330-foot tall radio broadcast tower, located approximately 500 feet from Vine Street, on property legally described as Outlot A, Wyuka 2nd Addition, located in the SW 1/4 of Section of 20-10-7, Lincoln, Lancaster County, Nebraska, generally located at North 45th Street and Vine Street.

**PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:**

Administrative Amendment No. 15048 to Use Permit #145A, Pine Lake Plaza Office Park, approved by the Acting Planning Director on August 13, 2015, requested by Olsson Associates, to revise the lot layouts of certain lots, and to increase the amount of floor area allocated to these lots, thereby increasing the total allowed by the use permit from 192,900 to 199,014 square feet, generally located at S. 84th Street and Highway 2.

Administrative Amendment No. 15061 to Special Permit #1813A, the Preserve on Antelope Creek PUD, approved by the Acting Planning Director on August 13, 2015, requested by Becky Hanna, to adjust the front setback from 25' to 20' along the south lot line for Lot 20, Block 2, generally located at Lucille Drive and Pioneers Boulevard.

Administrative Amendment No. 15071 to Use Permit #05006, Grainger Heights Townhomes, approved by the Acting Planning Director on August 14, 2015, requested by Olsson Associates, to revise the grading and drainage plan to include a retaining wall which varies in height from 4' to 7' with revised contours, generally located at South 40th Street and Grainger Parkway.

**LIQUOR RESOLUTIONS**

MANAGER APPLICATION OF CHRISTOPHER L. MURRAY FOR WILDERNESS RIDGE GOLF, LLC DBA WILDERNESS RIDGE GOLF COURSE AT 1800 WILDERNESS WOODS PLACE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89190 WHEREAS, Wilderness Ridge Golf, LLC dba Wilderness Ridge Golf Course located at 1800 Wilderness Woods Place, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Christopher L. Murray be named manager;

WHEREAS, Christopher L. Murray appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Christopher L. Murray be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF MARKIE K. BRYCE FOR 1339 O STREET, INC. DBA BROTHERS BAR & GRILL AT 1339 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89191 WHEREAS, 1339 O Street, Inc. dba Brothers Bar & Grill located at 1339 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Markie K. Bryce be named manager;

WHEREAS, Markie K. Bryce appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Markie K. Bryce be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF BRITANY S. GRADY FOR WHITEHEAD OIL COMPANY DBA U-STOP 12 AT 6801 WILDCAT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89192 WHEREAS, Whitehead Oil Company dba U-Stop 12 located at 6801 Wildcat Drive, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Britany S. Grady be named manager;

WHEREAS, Britany S. Grady appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Britany S. Grady be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF MARK W. EGGERT FOR BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS AT 350 CANOPY STREET, SUITE 200 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89193 WHEREAS, BW&R Canopy, LLC dba Buffalo Wings & Rings located at 350 Canopy Street, Suite 200, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Mark W. Eggert be named manager;

WHEREAS, Mark W. Eggert appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Mark W. Eggert be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF MICHAEL R. SCHMIDT FOR THE OLD PUB, LLC DBA THE OLD PUB AT 420 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89194 WHEREAS, The Old Pub, LLC dba The Old Pub located at 420 South 11th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Michael R. Schmidt be named manager;

WHEREAS, Michael R. Schmidt appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Michael R. Schmidt be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF GRETCHEN E. COOPER FOR GJR, LLC DBA COOP'S CORNER AT 4947 HOLDREGE STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89195 WHEREAS, GJR, LLC dba Coop's Corner located at 4947 Holdrege Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Gretchen E. Cooper be named manager;

WHEREAS, Gretchen E. Cooper appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Gretchen E. Cooper be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 182**

APPLICATION OF MORAN'S LIQUOR WORKS, LLC DBA MORAN'S BOTTLE SHOP FOR AN UPGRADE FROM A CLASS DK TO CLASS CK LIQUOR LICENSE AT 3402 A STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89196 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Moran's Liquor Works, LLC dba Moran's Bottle Shop for an upgrade from a Class DK to Class CK liquor license at 3402 A Street, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF BPC NEBRASKA, LLC DBA BOSS' PIZZA & CHICKEN FOR A CLASS A LIQUOR LICENSE AT 1000 SAUNDERS AVENUE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89197 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of BPC Nebraska, LLC dba Boss' Pizza & Chicken for a Class "A" liquor license at 1000 Saunders Avenue, Lincoln, Nebraska, for the license period ending April 30, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JASON T. JOHNSON FOR BPC NEBRASKA, LLC DBA BOSS' PIZZA & CHICKEN AT 1000 SAUNDERS AVENUE - PRIOR to reading:

ESKRIDGE Moved to Amend to require completion of the training.

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption as amended for approval:

A-89198 WHEREAS, BPC Nebraska, LLC dba Boss' Pizza & Chicken located at 1000 Saunders Avenue, Lincoln, Nebraska has been approved for a Retail Class "A" liquor license, and now requests that Jason T. Johnson be named manager;

WHEREAS, Jason T. Johnson appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jason T. Johnson be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 36 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE ON SEPTEMBER 4, 2015 FROM 3:00 P.M. TO 9:00 P.M - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89199 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Zipline Brewing Co. for a special designated license to cover an outdoor area measuring



approximately 36 feet by 72 feet at 2100 Magnum Circle, Lincoln, Nebraska, on September 4, 2015, between the hours of 3:00 p.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF MEIER'S WINE, INC. DBA MEIER'S CORK 'N BOTTLE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 40 FEET BY 120 FEET AT TIRE RACK SCCA SOLO NATIONALS TENT AT NW 36TH & W. MATHIS STREETS ON SEPTEMBER 6, 2015 FROM 4:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89200

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Meier's Wine, Inc. dba Meier's Cork 'N Bottle for a special designated license to cover an outdoor area measuring approximately 40 feet by 120 feet at Tire Rack SCCA Solo Nationals Tent at Northwest 36th and West Mathis Streets, Lincoln, Nebraska, on September 6, 2015, between the hours of 4:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF MEIER'S WINE, INC. DBA MEIER'S CORK 'N BOTTLE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 140 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 98 FEET BY 125 FEET COVERING ALL THREE FLOORS AT LINCOLN CHILDREN'S MUSEUM AT 1420 P STREET ON SEPTEMBER 11, 2015 FROM 6:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89201

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Meier's Wine, Inc. dba Meier's Cork 'N Bottle for a special designated license to cover an outdoor area measuring approximately 60 feet by 140 feet and an indoor area measuring approximately 98 feet by 125 feet covering all three floors at Lincoln Children's Museum at 1420 P Street, Lincoln, Nebraska, on September 11, 2015, between the hours of 6:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 184**

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER TWO OUTDOOR AREAS MEASURING APPROXIMATELY 45 FEET BY 80 FEET AND 17 FEET BY 70 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1ST STREET ON SEPTEMBER 10, 2015 FROM 10:00 A.M. TO 1:00 A.M. -

CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89202 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Omaha Exposition & Racing for a special designated license to cover two outdoor areas measuring approximately 45 feet by 80 feet and 17 feet by 70 feet at Lincoln Race Course at 7055 South 1st Street, Lincoln, Nebraska, on September 10, 2015, between the hours of 10:00 a.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**PUBLIC HEARING - RESOLUTIONS**

AUTHORIZING THE CITY OF LINCOLN'S APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR FINANCIAL ASSISTANCE FROM THE RECREATIONAL TRAILS PROGRAM FOR RENOVATING THE MURDOCK TRAIL FROM TOUZALIN AVENUE TO NORTH 70TH STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89203 WHEREAS, the City of Lincoln is applying to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program for the purpose of renovating the Murdock Trail from Touzalin Avenue to North 70th Street; and

WHEREAS, the total cost of the project will be \$529,300 of which the Recreation Trails Program request will be \$423,440 and the City's costs will be \$105,860; and

WHEREAS, the City of Lincoln, which is responsible for maintaining Murdock Trail, wishes to express its support for the project and its willingness to commit the necessary financial resources to construct, operate, and maintain the completed project in a safe and attractive manner for public use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the City of Lincoln hereby expresses its support for the application being made to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program for the purpose of renovating the Murdock Trail from Touzalin Avenue to North 70th Street and its commitment to the on-going maintenance of the trail.
2. The City of Lincoln currently has the commitment for \$105,860 for the trail, for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for this project.
3. The City of Lincoln will manage the contracts for the project if allowed under terms of the grant and commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public use.
4. The City of Lincoln will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in the use of proposed project acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act.
5. The City of Lincoln will comply with all rules and regulations of the Recreational Trails Program, applicable Executive Orders, and all state laws that govern the grant applicant during the performance of the project.
6. The City of Lincoln will comply with the federal disability access and use standards where they can be reasonably applied, in accord with the Americans with Disabilities Act, as amended.
7. The City Clerk is directed to transmit a certified copy of this resolution to the Parks and Recreation Department for transmittal to the Nebraska Game and Parks Department.

Introduced by Jane Raybould

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND TRANSPORT PLUS OF LINCOLN FOR THE ANNUAL REQUIREMENTS FOR ADA ELIGIBLE TRANSPORTATION SERVICES, SOLE SOURCE NO. SS-20, FOR A THREE YEAR TERM - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89204 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract between the City of Lincoln and Transport Plus of Lincoln for the annual requirements for ADA Eligible Transportation Services, Sole Source No. SS-20, for a three year term, upon the terms as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jane Raybould

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING AMENDMENT NO. 1 TO THE CONTRACT FOR SERVICES BETWEEN CORNHUSKER PLACE OF LINCOLN-LANCASTER COUNTY, INC. N/K/A BRIDGE BEHAVIORAL HEALTH AND THE CITY OF LINCOLN TO PROVIDE \$200,000 TO BRIDGE BEHAVIORAL HEALTH BY SEPTEMBER 15, 2015 TO SUPPORT THE ON-GOING REMODELING PROJECT OF ITS FACILITY LOCATED AT 721 K STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89205 A RESOLUTION approving Amendment No. 1 to the Contract for Services between Cornhusker Place of Lincoln-Lancaster County, Inc. now known as Bridge Behavioral Health ("Bridge") and the City of Lincoln, Nebraska ("Amendment No. 1") regarding the City's Agreement to provide financial support for the remodeling of the Bridge facility located at 721 K Street, Lincoln, Nebraska so that the Bridge can more efficiently and safely handle citizens taken into protective custody by the Lincoln Police Department.

WHEREAS, the City and the Bridge entered into an Agreement on November 26, 2012 under which the Bridge agreed to provide civil protective custody services on behalf of the City to people with immediate drug or alcohol problems; and

WHEREAS, under the terms of the contract, the Bridge will provide those services to the City through September 30, 2016; and

WHEREAS, the Bridge is currently in the process of remodeling its facility so that it will be able to more efficiently serve its clients; and

WHEREAS, the remodeling project will enable the Bridge to serve its clients, including those clients who come to it through the City of Lincoln, with a higher level of safety and privacy; and

WHEREAS, the City will benefit from the improved civil protective custody service,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. The attached Amendment No. 1 wherein City agrees to provide \$200,000 to the Bridge by September 15, 2015 to support the Bridge's on-going remodeling project of its facility located at 721 K Street, Lincoln, Nebraska is hereby approved and the Mayor is authorized to execute said Amendment No. 1 on behalf of the City of Lincoln, Nebraska.

2. The funds from the City under this Agreement shall come from the Lincoln Police Department's Miscellaneous Contractual Service Fund - 04001.5621.

3. The City Clerk is hereby directed to transmit a fully executed copy of said Amendment No. 1 to Phil Tegeler, Executive Director of the Bridge, at 721 K Street, Lincoln, Nebraska 68508.

Introduced by Jane Raybould

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING A REQUEST TO THE CITY PERFORMANCE AUDIT COMMITTEE, PURSUANT TO CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE, TO CONDUCT A DEPARTMENT AUDIT OF THE CITY OF LINCOLN PUBLIC WORKS AND UTILITIES DEPARTMENT AND ENGINEERING SERVICES TO DETERMINE IF THERE ARE EFFICIENCIES TO BE GAINED WITH RESPECT TO THE PLANNING AND COMPLETION OF STREETS AND ROADS PROJECTS PURSUED AND COMPLETED BY SAID DEPARTMENT - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89206 WHEREAS, Art IV, § 8 of the Lincoln Charter grants the City Council certain examination and review powers concerning any subject upon which it may legislate or the operations of any department engaged in the administration of City affairs; and

WHEREAS, the City Council believes that there may exist efficiencies to be gained in an audit of the operation and performance of the Engineering Services Division within the City of Lincoln Public Works and Utilities Department with respect to the planning, construction, and maintenance of city streets and roads projects; and

WHEREAS, the City Council has adopted Chapter 4.66 of the Lincoln Municipal Code which creates the City Performance Audit Committee; and

WHEREAS, pursuant to Lincoln Municipal Code § 4.66.040, the City Performance Audit Committee has certain responsibilities, including, when directed to do so by resolution of the City Council, determining whether an audit as suggested in the Council's resolution is appropriate and desirous, and to determine what the scope of such audit should be.

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 186**

NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

(1) That the City Council hereby directs the City Performance Audit Committee to determine whether an audit of the Public Works and Utilities Department in the areas of the operation of its Engineering Services Division to investigate whether there are efficiencies to be gained in the planning and completion of streets and roads projects completed by said department is appropriate and desirous. The Committee is specifically requested to determine whether the following items should be included in the scope of services to identify if there exist efficiencies to be gained in the completion of department projects:

- a. A detailed list of department projects completed during the calendar years of 2013 and 2014 that utilized wheel tax, gas tax, or federal funds, including information as to the source of funding and the item to which such funding was attributed on each project. The items on the list to be reviewed should also include:
  - i. An accounting of all wheel tax funds, gas tax funds, or federal funds which were spent on debt service;
  - ii. An itemization of all personnel and indirect costs paid for with wheel tax funds, gas tax funds, or federal funds;
  - iii. A listing of the projects and locations of the construction or repair of city sidewalks that were paid for by wheel tax funds or gas tax funds; and
  - iv. An itemized list of engineering costs applicable to each project.
- b. A detailed list of the department projects completed during the calendar years of 2013 and 2014 that required adjustments or changes to plans or specifications following acceptance of the project bid, including information about the initial contractor and bid amount, the extent of any necessary or proposed changes, the proposed and final cost of any changes, and the total project cost upon completion.

(2) That in the event the Committee concludes that the requested audit is appropriate and desirous, the City Council directs the City Performance Audit Committee to carry out the Committee's duties and responsibilities under Chapter 4.66 including but not limited to determining: (i) what the scope of such audit should be; (ii) whether the audit should be a financial audit, an internal audit, a performance audit, an operational review or any combination thereof; (iii) whether the contract auditor should be the State Auditor of Public Accountants or a private contractor; (iv) submitting the scope of the audit to the City Purchasing Agent; (v) causing the Purchasing Agent to obtain proposals for the audit; (vi) selecting the proposal which best serves the City's interest; and (vii) forwarding the selected proposal and contract terms to the City Council for action as provided in Sections 4.66.040 and 4.66.120 of the Lincoln Municipal Code.

BE IT FURTHER RESOLVED that within 60 days of receiving of any final audit report from the contract auditor, the Committee shall submit a Committee audit report to the Mayor and City Council in accordance with Section 4.66.040(g) of the Lincoln Municipal Code.

Introduced by Jane Raybould

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

COMP. PLAN AMENDMENT 15002 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP FROM UNBUILT MIXED USE OFFICE CENTER TO UNBUILT NEIGHBORHOOD CENTER, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 70TH STREET AND YANKEE HILL ROAD - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89207 WHEREAS, the Planning Director has made application to amend the 2040 Lincoln-Lancaster County Comprehensive Plan to change the land designation in the Lancaster County and Lincoln Area Future Land Use Plan from Unbuilt Mixed Use Office Center to Unbuilt Neighborhood Center on property generally located at the northwest corner of South 70th Street and Yankee Hill Road and to make associated amendments to the Comprehensive Plan; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has recommended approval of the requested changes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the 2040 Lincoln-Lancaster County Comprehensive Plan be and the same is hereby amended in the following manner:

1. Amend Map 5.1: Existing and Proposed Commercial Centers on Page 5.6, to change the commercial center designation from Mixed Use Office Center to Neighborhood Center, on property generally located at the northwest corner of South 70th Street and Yankee Hill Road, as shown on Attachment "A".

BE IT FURTHER RESOLVED that all other maps, figures, and plans where the land use map is displayed and other references in said plan which may be affected by the above-specified amendment be, and they hereby are amended to conform with such specific amendments.

Introduced by Jane Raybould

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SPECIAL PERMIT 15041 - APPLICATION OF E & G ENTERPRISES, LLC FOR AN EARLY CHILDHOOD CARE FACILITY FOR UP TO 125 CHILDREN, WITH A REQUEST TO WAIVE THE CONVERSION PLAN, ON PROPERTY GENERALLY LOCATED AT 8120 O STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89208 WHEREAS, E & G Enterprises, LLC has submitted an application designated as Special Permit No. 15041 for authority to operate an early childhood care facility for up to 125 children, together with a request to waive the conversion plan, on property located at 8120 O Street, and legally described as:

Lots 20 & 64 Irregular Tracts located in Section 22, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this early childhood care facility will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of E & G Enterprises, LLC, hereinafter referred to as "Permittee", to operate an early childhood care facility for up to 125 children, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.070 of the Lincoln Municipal Code upon condition that construction and operation of said child care facility be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves an early childhood care facility for up to 125 children and 22 employees, with a waiver to Design Standards to not provide a conversion plan for a facility in a residential district.

2. Before receiving building permits:

- a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including four copies showing the following revisions:
  - i. Add a note to the plan that states, "Public access easements will be granted, as shown on the site plan, prior to building permit for any portion of public sidewalk on private property."
  - ii. Add a note to the plan that states, "The landscaping shown on this plan will meet the minimum standards for parking lot screening and will be installed at the time of building permit."
  - iii. Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with Chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
  - iv. Add a note to the plan that states, "The building footprints and parking stalls shown on this plan are conceptual and subject to minor adjustments."
  - v. Dimension the streetscape to verify the public sidewalk is 8 feet from the back of curb.
  - vi. Revise the grading plan to avoid runoff in the northwest section of the property to the satisfaction of the Public Works and Utilities Department.
  - vii. Add the following text to note 7, "Buildings may be built anywhere on the site outside of the setbacks."
- b. Provide verification from the Register of Deeds that the letter of acceptance has been recorded as required by the approval of the special permit.
- c. Provide verification that the required easements as shown on the site plan have been recorded with the Register of Deeds.

3. Before occupying the building, all development and construction must substantially comply with the approved plans.

4. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee.

5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

6. The terms, conditions, and requirements of this resolution shall run with the land and be binding and obligatory upon the Permittee and the Permittees' successors and assigns.

7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

Introduced by Jane Raybould

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSTAINED: Raybould.

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 188**

AMENDING THE 2014-2016 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2015-2016 FISCAL YEAR - PRIOR to reading:

CHRISTENSEN Moved to delay Public Hearing & Action for 1 week to 08/31/15.  
Seconded by Lamm and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SPECIAL PERMIT 15030 - APPLICATION OF OAK LAKE EVANGELICAL FREE CHURCH TO CONSTRUCT A 85-FOOT TALL MONOPOLE FOR PERSONAL WIRELESS FACILITIES, ON PROPERTY GENERALLY LOCATED AT 3300 NORTH 1ST STREET - PRIOR to reading:

ESKRIDGE Moved to delay Public Hearing & Action for 1 week to 08/31/15.  
Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

COMP. PLAN CONFORMANCE 15008 - DECLARING SEVEN VACANT PARCELS OF LAND GENERALLY LOCATED AT NORTH 15TH STREET AND CLAREMONT STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Jane Raybould, declaring seven vacant parcels of City owned property generally located at North 15th Street and Claremont Street as surplus, the second time.

CHANGE OF ZONE 15021 - APPLICATION OF U.S. DEPARTMENT OF VETERANS AFFAIRS, VICTORY PARK PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD, O-3 OFFICE PARK DISTRICT PUD, AND R-4 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW FOR A MIX OF COMMERCIAL AND RESIDENTIAL USES, ON PROPERTY GENERALLY LOCATED ON EAST SIDE OF SOUTH 70TH STREET, NORTH OF SOUTH WEDGEWOOD DRIVE - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS**

AMENDING SECTION 9.44.090 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIREWORKS TO PROVIDE THAT ANY PUBLIC FIREWORKS EXHIBITION SHALL CEASE BY 11:59 P.M. - CLERK read an ordinance, introduced by Cyndi Lamm, amending Section 9.44.090 of the Lincoln Municipal Code relating to Fireworks to provide that any public fireworks exhibition shall cease by 11:59 p.m.; and repealing Section 9.44.090 of the Lincoln Municipal Code as hitherto existing, the third time.

LAMM Moved to pass the ordinance as read.  
Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.  
The ordinance, being numbered **#20232**, is recorded in Ordinance Book 29.

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT AND THE PARKS & RECREATION DEPARTMENT - PRIOR to reading:

GAYLOR BAIRD Moved to delay Public Hearing & Action for 1 week to 08/31/15.  
Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING THE WEST HAYMARKET TDP PHASE III REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND TDP PHASE THREE, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY ON PRIVATE PROPERTY GENERALLY BOUNDED BY P STREET, HALF BLOCK SOUTH OF Q STREET, HALF BLOCK EAST OF ARENA DRIVE, CANOPY STREET, AND THE ADJACENT RIGHTS OF WAY IN GREATER DOWNTOWN LINCOLN. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170) - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89209 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the attached West Haymarket TDP Phase III Redevelopment Agreement, between the City of Lincoln and TDP Phase Three, LLC relating to the redevelopment of property generally bounded by R Street on the north, Pinnacle Arena Drive on the west, O Street on the south, and 7th Street on the east, and specifically including Lot 1, Block 4 and Lots 1, 2, and the south half and the south 5 feet of the north half of Lot 3, Block 6, West Haymarket Addition; Lot 1, West Haymarket 1st Addition; Canopy Street from R

Street to N Street; and any right-of-ways included in said area which is all located in City of Lincoln, Lancaster County, Nebraska, upon the terms and conditions set forth in said Redevelopment Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to transmit one fully executed original and one copy of said Agreement to Hallie Salem, Urban Development Department. Hallie Salem is further directed to transmit the original Agreement to TDP Phase Three, LLC.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

AMENDING THE FY 2014/15 CIP TO AUTHORIZE AND APPROPRIATE \$6,000,000 IN TIF FUNDS FOR THE WEST HAYMARKET TDP PHASE III REDEVELOPMENT PROJECT. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170) - PRIOR to reading:

GAYLOR BAIRD Moved MTA #1 to amend Bill No. 15R-176 in the following manner:

On page 2, line 18 after the words "Six Million" insert the words "Four Hundred Forty-One Thousand and One Hundred Forty."

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved its adoption as amended:  
A-89210 WHEREAS, Resolution No. A-88504, adopted by the City Council of Lincoln, Nebraska on August 25, 2014, adopted the fiscal year 2014-2015 and 2015-2016 annual budgets for the City of Lincoln and further adopted the Capital Improvement Program attached to Resolution No. A-88504 as Schedule No. 5; and

WHEREAS, Resolution No. A-88504 appropriated all money received or to be received from the County of Lancaster, the State of Nebraska, or the United States, as well as from any grants, donations, or contributions received for public purposes and the interest thereon notwithstanding any sum limitation set forth in the annual budget; and

WHEREAS, a capital improvement project for the TDP (HUDL) Project, a subproject of the West Haymarket Redevelopment Project, was not included within Schedule No. 5 of the Annual Budget as a capital improvement project to be funded in fiscal year 2014-2015; and

WHEREAS, the City desires to amend the schedule of capital improvements for the fiscal year beginning September 1, 2014 within the Capital Improvement Program (CIP) adopted by and attached to Resolution No. A-88504 as Schedule No. 5, to establish a project for the TDP (HUDL) Project, and establish appropriations for that project; and

WHEREAS, Article IX-B Section 7 of the Lincoln City Charter states that, "The [city] council shall not appropriate any money in any budget for any capital improvements project unless and until the conformity or non-conformity of the project has been reported on by the Planning Department by special report or in connection with the Capital Improvements Programming process." The Charter definition of "Planning Department" includes the Planning Commission; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission has reviewed the TDP (HUDL) Project as a capital improvement project for conformity or nonconformity with the Comprehensive Plan as part of its review of the West Haymarket Redevelopment Project in the Lincoln Center Redevelopment Plan and found the proposed Project to be in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the implementation of the TDP (HUDL) Project for a new office building and associated public enhancements, site acquisition, and streetscape improvements within the TDP Project Area, is hereby established as a capital improvement project within the Capital Improvement Program.

BE IT FURTHER RESOLVED that the Capital Improvement Program on Schedule 5 of Resolution No. A-88504 be amended by adding the TDP (HUDL) Project to the Urban Development Department's list of fiscal year 2014-2015 capital improvement projects on Schedule No. 5.

BE IT FURTHER RESOLVED that the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the annual budget to designate six million four hundred forty-one thousand and one hundred forty dollars from Tax Increment Financing for this TDP (HUDL) Project.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$6,000,000 FOR THE CITY OF LINCOLN, WEST HAYMARKET TDP PHASE III REDEVELOPMENT PROJECT IN GREATER DOWNTOWN LINCOLN. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170) - PRIOR to reading:

RAYBOULD Moved MTA #1 to Bill No. 15-101 in the following manner:

1. Revise Section 2.1 - Definitions of Special Terms on page 4 of Bill No. 15-101 by substituting the following definition of "Project" for the existing definition of Project. "Project means the Private Improvements (i.e. New Building and Skywalk Bridge), Site Acquisition, Site Preparation, Redeveloper Public Improvements (i.e. Plaza Design, Public Enhancements, and Redeveloper Streetscape Improvements), and other City Public Improvements, each as defined in the Redevelopment Agreement."

**REGULAR MEETING  
AUGUST 24, 2015  
PAGE 190**

2. Revise Section 3.1 - Authorization of Bonds on page 6 of Bill No. 15-101 by striking the words "Site Acquisition, Site Preparation, Public Enhancements, and the City Public" in lines 4 and 5 of Section 3.1 and inserting the word "City" before word "Improvements" in line 5.

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS None.

CLERK Read an ordinance, introduced by Cyndi Lamm, authorizing and providing for the issuance of City of Lincoln, Nebraska tax allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$6,000,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's TDP Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

LAMM Moved to pass the ordinance as amended.

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20233**, is recorded in Ordinance Book 29.

**APPROVING FAST FORWARD FUNDS FOR THE CONSTRUCTION OF A SKYWALK BRIDGE  
CONNECTING THE TDP PHASE THREE OFFICE BUILDING (HUDL HEADQUARTERS) TO THE  
JPA GREEN 2 PARKING GARAGE. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170) -**  
CLERK read a resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89211 WHEREAS, Resolution No. A-84988, established Fund No. 230, to be known as the Fast Forward Fund, the purpose of which is to make funds available for economic development projects where (1) there is a demonstrated benefit to the community and/or (2) where an incentive or incentives can positively influence the outcome of a project; and

WHEREAS, Resolution No. A-85490, modified the purpose of the Fast Forward Fund to provide priority for economic development or infrastructure projects; and

WHEREAS, pursuant to Resolution No. A-85490, any project funded by the Fast Forward Fund relating to a business shall be required to show (1) that new employees added as a result of the project will meet a median wage requirement that is 120% of the county average wage or greater and (2) that the business derives 50% or more of its revenue from outside the county; and

WHEREAS, pursuant to Resolution No. A-85490, the eligibility of projects and the amount of funding must be approved on a case to case basis by resolution of the City Council; and

WHEREAS, TDP Phase Three, the Redeveloper of the South Half of Lot 3, Block 6, West Haymarket Addition, the West Haymarket Joint Public Agency (JPA), and the City of Lincoln, are entering into a Redevelopment Agreement regarding TDP Phase Three's construction of a new multi-story building containing approximately 10,000 square feet of retail or enclosed recreation facility on the first floor and 140,000 square feet of office space on the upper floors; and

WHEREAS, the majority of the office space will be leased to HUDL for its headquarters and is needed in order for HUDL to expand and consolidate its business in Lincoln; and

WHEREAS, the HUDL expansion is initially anticipated to result in 300 new employees within three years following the date the City, the JPA, and TDP Phase Three enter into the Redevelopment Agreement. New employees will have a total annual compensation package of \$60,000.00 or more per employee; and

WHEREAS, TDP Phase Three and HUDL have requested the City to support the Project by funding a skywalk bridge connecting the new office building to HUDL parking in the JPA Green 2 Parking Garage and for the benefit of the general public accessing the first floor retail space and/or enclosed recreational facility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. The request by TDP Phase Three and HUDL for the City to support the Project by funding the Skywalk Bridge, subject to the qualifications set forth below, meets the criteria necessary to expend funds from Fund No. 230, the Fast Forward Fund.

2. Evidence provided to the Council demonstrates that HUDL meets the Fast Forward Fund Criterion that new employees added by HUDL will meet an average wage that is 120% of the County average wage and that HUDL derives 50% or more of its revenue from outside the County.

3. There is hereby appropriated a sum not to exceed \$600,000.00 from Fund No. 230, the Fast Forward Fund, to be incorporated in the City Project Account for TDP Phase Three Redevelopment Project subject to the following terms and conditions:

a. Costs expended by the City for the Skywalk Bridge shall not exceed \$600,000.00 without further Council approval.



b. HUDL shall provide verification satisfactory to the City that, as a result of the project, a minimum of 300 new employees have been hired within three years following the Date of the Agreement, with compensation packages for all such new employees of \$60,000.00 or more per year.

c. The Fast Forward Funds will be dispersed annually based upon job creation over a three year period.

d. TDP Phase Three and HUDL shall submit a letter agreement to the City stating that in the event HUDL fails to complete or comply with any of its obligations hereunder, then TDP Phase Three and HUDL shall repay the City all monies expended on behalf of HUDL related to the Skywalk Bridge, with interest at the rate of 4% per annum beginning from the time of disbursement hereunder.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

### **RESOLUTIONS - 1<sup>ST</sup> READING**

REAPPOINTING ANGOK ALWIR AND MARTIN RAMIREZ TO THE MULTICULTURAL ADVISORY COMMITTEE FOR TERMS EXPIRING SEPTEMBER 18, 2018. (CONSENT)

APPOINTING PATRICIA OHMBERGER TO THE LINCOLN/LANCASTER COUNTY EMS OVERSIGHT AUTHORITY, INC. FOR A TERM EXPIRING MAY 16, 2019. (CONSENT)

APPOINTING TRENT FELLERS TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2018. (CONSENT)

REAPPOINTING EDWARD HOFFMAN, LAURIE THOMAS, AND HELEN MEEKS TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR TERMS EXPIRING JULY 1, 2018. (CONSENT)

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF AUGUST 1-15, 2015.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND REPUBLIC PARKING SYSTEM, INC. FOR PARKING MANAGEMENT SERVICES, PURSUANT TO RFP NO. 15-093, FOR A FOUR TERM BEGINNING SEPTEMBER 1, 2015 THROUGH AUGUST 31, 2019.

### **ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required) - NONE**

### **OPEN MICROPHONE**

Jane Svoboda, no address given, came forward with comments on various issues.  
This matter was taken under advisement.

Mike Morosin, 1500 N. 15<sup>th</sup> St., came forward with comments regarding city elements and fraud.  
This matter was taken under advisement.

Jane Kinsey, Watchdogs of Lincoln Government, came forward with concerns on various issues.  
This matter was taken under advisement.

### **ADJOURNMENT**

**6:45 P.M.**

CAMP                      Moved to adjourn the City Council Meeting of August 24, 2015.  
Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

---

Teresa J. Meier, City Clerk

---

Alexis Traylor, Office Specialist

